

REMARKS

In the Office Action,¹ the Examiner indicated that the Information Disclosure Statement filed on December 27, 2001 ("the IDS"), has not been considered, objected to the specification, objected to claim 3, rejected claims 1, 2, 4, 6-10, 12, 14-18, 20, and 22-40 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,325,632 to Chao et al. ("Chao"), and rejected claims 3, 5, 11, 13, 19, and 21 as being unpatentable over Chao in view of "A Glossary of Online Terms" by Bill Thompson ("Thompson").

By this amendment, the abstract and specification have been amended. Claims 1-40 are currently pending. Of these claims, 1, 9, 17, 25-31, and 34 are independent claims.

A. Information Disclosure Statement filed December 27, 2001

The Examiner did not consider the IDS because it allegedly "does not include a concise explanation of the relevance" See Office Action, page 2. Applicant respectfully submits that a concise explanation of relevance of the references was filed concurrently with the IDS in the form of an English language search report from the Korean Patent Office in the PCT international application. This is all that is required by the M.P.E.P. A copy of the search report can be found in the U.S. Patent and Trademark Office's image file wrapper for the present application (listed as an "NPL

¹ The Office Action contains a number of statements that characterize the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

document") and is being provided herewith as an attachment for the Examiner's convenience.

M.P.E.P. § 609.III.A.3 states that:

Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report.

Accordingly, Applicant respectfully requests that the Examiner consider the references cited in the IDS and provide an indication of such consideration on the attached copy of Form PTO 1449.

B. Abstract and Specification

By this amendment, Applicant has amended the abstract and specification to address the Examiner's objections. Accordingly, Applicant respectfully requests withdrawal of the objections to the abstract and specification.

C. Objection to Claim 3

The Examiner objected to claim 3 because the acronym URL is used without specifically defining the full term for which it is an abbreviation. See Office Action,

page 3. M.P.E.P. § 2173.05(a) states that “[t]he meaning of every term used in a claim should be apparent from the prior art or from the specification and drawings at the time the application is filed.” M.P.E.P. § 2173.05(a). Applicant respectfully submits that the meaning of the term URL in claim 3 is apparent from the context of its use in the specification in conjunction with prior art uses of the term. This is especially true in view of Applicant’s amendment to the specification on pages 3 and 4 to define the term “URL” as a “uniform resource locator.” Because the meaning of the term URL is apparent from the specification, Applicant respectfully requests withdrawal of the objection to claim 3.

D. Claims 1, 2, 4, 6-10, 12, 14-18, 20, and 22-30

Applicant respectfully traverses the rejection of claims 1, 2, 4, 6-10, 12, 14-18, 20, and 22-30 under 35 U.S.C. § 102(e) for at least the reason that Chao fails to disclose each and every claim element. For example, independent claim 1 recites a method comprising, among other things, “receiving a query from a user; generating an identification code corresponding with said query.” Independent claims 9, 17, and 25-30 include similar recitations. Chao fails to disclose at least these elements of claims 1, 9, 17, and 25-30.

Chao is directed to computer-aided learning methods and systems that match students with instructors based on characteristics entered by the students and instructors. See Abstract, col. 5, lines 17-52. Chao discloses a server apparatus that receives information from users such as subjects of specialty, subjects of interest, preferred rates, and preferred hours, to name a few. See, e.g., col. 4, line 5 through

col. 5, line 16. However, Chao is devoid of any description of “receiving a *query* from a user,” (emphasis added) as recited by claim 1. Instead, Chao describes the opposite; it is the user who is receiving requests for information and the server apparatus that is requesting the responses. See, e.g., col. 4, lines 11-26 (“When asked by the apparatus the user *responds*” “[The user] is then *asked* a number of questions” “[T]he dialog box can have a list of *entries*” “The user can *check off* the subject he can be an instructor, or his subject of interest.”) (emphasis added). Responses to questions cannot constitute a query. Additionally, the fact that Chao teaches a user responding to the information requests of a server apparatus for the purpose of looking for a suitable instructor cannot justify construing the user’s *response* as a “query.” Such a construction would ignore our fundamental understanding of the meaning of a “question” and an “answer.” In other words, an “answer” given in response to get something still does not make the “answer” a “question.” For at least these reasons, claim 1 is allowable.

For analogous reasons, independent claims 9, 17, and 25-30 are also allowable. Accordingly, the 35 U.S.C. § 102(e) rejection of claims 1, 9, 17, and 25-30 should be withdrawn. Claims 2, 4, 6-8, 10, 12, 14-16, 18, 20, and 22-24 depend from at least one of independent claims 1, 9, and 17, and thus are also allowable.

Claims 3, 5, 11, 13, 19, and 21 similarly depend from at least one of claims 1, 9, and 17. Moreover, Thompson, relied on for its teaching of identifying servers using URLs, fails to cure the deficiencies of Chao discussed above. Accordingly, the 35 U.S.C. § 103(a) rejection of claims 3, 5, 11, 13, 19, and 21 should be withdrawn.

E. Claims 31-37

Applicant respectfully traverses the rejection of claims 31-37 under 35 U.S.C. § 102(e) for at least the reason that Chao fails to disclose each and every claim element. For example, independent claim 31 recites a method comprising, among other things, “providing at least one page in a site corresponding with said contents-providing server, having at least one counseling link.”

As conceded by the Examiner, Chao does not specifically disclose a system having “at least one page in a site with links linking the different parts,” but nevertheless the Examiner makes a bare assertion that this aspect is inherent based on Chao’s disclosure of an embodiment with a web server using HTTP. See Office Action, page 11 (citing Chao, col. 8, lines 23-28). Applicant respectfully submits that the Office Action fails to meet the legal standard on inherency clearly set forth in the M.P.E.P. M.P.E.P. § 2112.IV states that “[i]n relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.” M.P.E.P. § 2112.IV (quoting *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (B.P.A.I. 1990) (emphasis in original)). The Office Action fails to show how “providing at least one page in a site corresponding with said contents-providing server, having at least one counseling link,” as recited in claim 31, necessarily flows from Chao’s disclosure of a web server using HTTP. Because the Office Action fails in this regard and the Office Action does not state any additional reasons to assert that the above limitation is shown, claim 31 is allowable.

Independent claim 34 includes recitations similar to that of claim 31 discussed above. Accordingly, the 35 U.S.C. § 102(e) rejection of claims 31 and 34 should be withdrawn. Claims 32-33 and 35-37 depend from at least one of independent claims 31 and 34. Therefore the rejection of claims 32-33 and 35-37 should also be withdrawn.

Conclusion

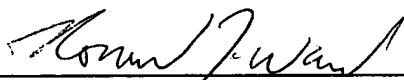
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: January 18, 2006

By: 
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Attachments: 1) Replacement Abstract of the Disclosure
 2) English language search report from the Korean Patent Office
 3) Form PTO 1449